

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SIMPLEAIR, INC.,

Plaintiff,

v.

MICROSOFT CORPORATION, ET AL

Defendants.

Civil Action No. 2:11-cv-416-JRG

SIMPLEAIR, INC.,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

Civil Action No. 2:13-cv-583-JRG

Joint Motion to Dismiss Microsoft

Plaintiff SimpleAir, Inc. (“SimpleAir”) and Defendant Microsoft Corporation (“Microsoft”) have finalized documentation of their settlement, entering a confidential Settlement and License Agreement dated November 25, 2013. The parties have agreed that:

1. all of SimpleAir’s claims in connection with this suit against Microsoft be dismissed with prejudice;
2. any of Microsoft’s defenses or counterclaims against SimpleAir in this suit be dismissed without prejudice; and
3. SimpleAir and Microsoft shall each bear its own attorney’s fees and costs incurred in connection with this action.

Therefore, the parties respectfully move this Court to dismiss Microsoft. A proposed Order is attached.

Dated: November 26, 2013

Respectfully submitted,

By: /s/ Simon Franzini

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Certificate of Service

I hereby certify that on November 26, 2013, a copy of the foregoing was electronically filed via CM/ECF, which will send a Notice of Electronic Filing to and constitute proof of service on all counsel who are deemed to have consented to electronic service per Local Rule CV-5(a)(3)

/s/ Simon Franzini
Simon Franzini